

United States District Court
Southern District of Texas
Brownsville Division

STATE OF TEXAS, *et al.*

v.

UNITED STATES OF
AMERICA, *et al.*

Case 1:14-cv-254

**Unopposed Motion of the Cato Institute and Law Professors for Leave
to File Brief as Friend of the Court Supporting Plaintiffs**

The Cato Institute, Professor Josh Blackman, and Professor Jeremy Rabkin seek the Court's leave to serve as friends of the Court supporting the plaintiffs. Their proposed brief in support is attached.

A. Why they are interested in this case.

The Cato Institute was established in 1977. It is a nonpartisan public-policy research foundation dedicated to advancing individual liberty and free markets. Cato's Center for Constitutional Studies promotes the principles of limited constitutional government that are the foundation of liberty. Toward those ends, Cato publishes books and studies, conducts conferences, files briefs in the courts, and produces the *Cato Supreme Court Review*. Cato has been indefatigable in its opposition to laws and executive actions that go beyond constitutional authority, regardless of the underlying policy merits.

Josh Blackman is a law professor at the South Texas College of Law. His fields of expertise include constitutional law, executive powers, the separation of powers, and federalism.

Jeremy A. Rabkin is a professor of law at George Mason University School of Law. His fields of expertise include administrative law, constitutional history, and statutory interpretation.

B. Why their participation will help the Court.

The proposed brief addresses the separation-of-powers violations attending the Deferred Action for Parental Accountability (DAPA) policy. Cato and the professors submit that the expertise they have developed through their research on the structure of the federal government will assist the Court in weighing the parties' arguments on DAPA's constitutionality.

C. No stated opposition to their participation.

The States don't oppose this motion. The United States took no position.

D. Prayer.

The Cato Institute, Prof. Blackman, and Prof. Rabkin pray for leave to file their brief as a friend of the Court supporting the States' request for a preliminary injunction.

Respectfully submitted,

THE OLSON FIRM, PLLC

/s/ Leif A. Olson

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Certificate of Service

On January 7, 2015, I served a copy of this motion and Cato's proposed brief on all counsel of record through the Court's CM/ECF system.

/s/ Leif A. Olson